

Plaintiff,

v.

1:04CV01113

Defendants.

For the reasons set out in an Order filed contemporaneously with this Judgment,

IT IS ORDERED AND ADJUDGED that this action is dismissed sua sponte without prejudice to plaintiff filing a new complaint, on the proper Section 1983 forms, along with the \$150.00 filing fee.

United States District Judge

December 20, 2004